

Electronically Recorded

Official Public Records

Tarrant County Texas

2009 Apr 28 02:21 PM

Fee: \$ 20.00

Submitter: SIMPLIFILE

D209112572

2 Pages



Suzanne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS' LICENSE NUMBER

AMENDMENT AND RATIFICATION OF OIL AND GAS LEASE
AND MEMORANDUM OF OIL AND GAS LEASE

STATE OF TEXAS }
COUNTY OF TARRANT }

WHEREAS, KP/Summit Office Park, Ltd., a Texas limited partnership, by KP/Summit Management, LLC, its General Partner, as Lessor heretofore executed an unrecorded Oil and Gas Lease, dated April 14, 2008, to XTO Energy Inc., as Lessee, and as recorded by a Memorandum of Oil and Gas Lease, dated March 17, 2008, as Document No. D208143589, Official Public Records of Tarrant County, Texas covering the following described lands, located in Tarrant County, Texas, to wit:

10.987 acres of land, more or less, being Lot 1, Block 1, Summit Office Park Addition, according to the Plat thereof recorded in Volume 388-85, Page 3, Plat Records, Tarrant County, Texas, being a part of the S.G. Jennings Survey, A-844, and the J. Lynch Survey, A-955, both in Tarrant County, Texas, and being more particularly described in that certain Special Warranty Deed dated September 18, 2007, from KP/Summit Office Park, Ltd., to PRG/Chief Summit, LP, as recorded at D207334254 of the Official Public Records of Tarrant County, Texas.

WHEREAS, the effective date as shown on the Memorandum of said lease is INCORRECTLY stated to be March 17, 2008.

AND WHEREAS, the CORRECT effective date of said lease is April 14, 2008 as correctly shown on the unrecorded Lease.

NOW, THEREFORE, in consideration of the premises, and for the purposes of correcting the effective date of said Memorandum of lease, the undersigned Bruce F. Evertson, General Partner of The Evertson Family Limited Partnership, does hereby declare that it was and is his intention to lease for oil and gas purposes the identical tract of land above described; effective as of April 14, 2008, and hereby amends said Memorandum of lease to be effective as of April 14, 2008, date of the lease, as aforesaid, and ratify and adopt the same as so amended.

AND THEREFORE, in consideration of the premises, the benefits to be derived therefrom, the receipt and sufficiency of which are hereby acknowledged, the undersigned Bruce F. Evertson, General Partner of The Evertson Family Limited Partnership, does hereby Adopt, Ratify and Confirm said lease and all of its terms and provisions, except as hereby otherwise amended, as if herein set out in its entirety, and does hereby Grant, Lease, Demise and let said lands and premises unto XTO Energy Inc., as fully and completely as if the undersigned had originally been named as Lessor(s) in said Lease and had executed, acknowledged, and delivered the same in its own property person(s).

For the same consideration the undersigned declares that said lease and all of its terms and provisions is a valid and subsisting Oil and Gas Lease and is binding on the undersigned and shall extend to and be binding upon the successors, heirs, executors, administrators, personal representatives and assigns of the undersigned.

D209112572

8

IN WITNESS WHEREOF, this instrument is executed on this the respective date of the Acknowledgment below, but shall be effective, however, as of April 14, 2008.

THE EVERTSON FAMILY LIMITED PARTNERSHIP

By: _____

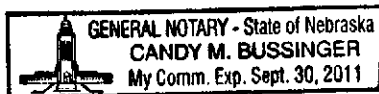
Bruce F. Everton, its General Partner

Address: P. O. Box 397
Kimball, NE 69145

ACKNOWLEDGMENT

STATE OF NEBRASKA }
COUNTY OF Kimball }

This instrument was acknowledged before me on the 6th day of April, 2009 by Bruce F. Everton, General Partner of The Everton Family Limited Partnership, on behalf of said Limited Partnership.



Candy M. Bussinger
Notary Public, State of Nebraska

Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt. # 1136
Fort Worth, TX 76137